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General Committee

Summary record of the 2nd meeting
Held at Headquarters, New York, on Tuesday, 12 September 2006, at 3 p.m.

Chairman: Ms. Al Khalifa ..... (Bahrain)
(President of the General Assembly)

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06-51935 (E)

The meeting was called to order at 3.20 p.m.

Organization of work of the sixty-first session of the General Assembly, adoption of the agenda and allocation of items (*continued*) (A/BUR/61/1 and Add.1)

IV. Adoption of the agenda (continued)

Inclusion of items (continued)

Heading I. Organizational, administrative and other matters

Item 114. Report of the Peacebuilding Commission

1. *The Committee decided to recommend to the General Assembly the inclusion in the agenda under heading A of item 114.*

Item 149. Report of the Human Rights Council

2. *The Committee decided to recommend to the General Assembly the inclusion in the agenda under heading D of item 149.*

Item 151. Observer status of the OPEC Fund for International Development in the General Assembly

Item 153. Observer status for the Collaborative Intergovernmental Scientific Research Institute in the General Assembly

Item 158. Requests for observer status in the General Assembly

3. **The Chairman** said that, since it had a direct bearing on items 151 and 153, the Committee would first consider item 158, requested for inclusion by Liechtenstein in document A/61/232.

4. **The Chairman** said that the representative of Saudi Arabia had asked to participate in the discussion in accordance with rule 43 of the rules of procedure.

5. *At the invitation of the Chairman, Mr. Sallam (Saudi Arabia) took a place at the Committee table.*

6. **Mr. Ritter** (Liechtenstein), supported by **Mr. Sallam** (Saudi Arabia) and **Mr. Majoor** (Netherlands), said the item was intended to simplify the procedure for requests for observer status in order to allow the Sixth Committee to deal directly with such requests.

7. *The Committee decided to recommend to the General Assembly the inclusion in the agenda under heading I of item 158 and decided not to recommend the inclusion of items 151 and 153.*

8. *Mr. Sallam (Saudi Arabia) withdrew.*

Item 152. The rule of law at the national and international levels

9. *The Committee decided to recommend to the General Assembly the inclusion in the agenda under heading F of item 152.*

Item 154. International Year of Reconciliation, 2009

10. **The Chairman** said that the inclusion of item 154 had been requested by Nicaragua in document A/61/192. The representative of Nicaragua had asked to address the Committee on the matter in accordance with rule 43 of the rules of procedure.

11. *At the invitation of the Chairman, Mr. Sevilla Somoza (Nicaragua) took a place at the Committee table.*

12. **Mr. Sevilla Somoza** (Nicaragua) said that while economic and political ties had led the world along the path of globalization and unity in justice and peace, new conflicts had also arisen. Item 154 was an initiative based on a new philosophy of peace and global reconciliation to eradicate all forms of violence among countries, cultures, religions, ethnic groups, genders, generations and the environment.

13. *The Committee decided to recommend to the General Assembly the inclusion in the agenda under heading I of item 154.*

14. *Mr. Sevilla Somoza (Nicaragua) withdrew.*

Item 156. Financing of the United Nations Integrated Mission in Timor-Leste

15. *The Committee decided to recommend to the General Assembly the inclusion in the agenda under heading I of item 156.*

Item 157. Report of the Secretary-General on the Peacebuilding Fund

16. *The Committee decided to recommend to the General Assembly the inclusion in the agenda under heading I of item 157.*

Item entitled "Follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme"

17. **The Chairman** said that Iraq and Costa Rica had requested the inclusion of an item entitled "Follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme" in the agenda for the sixty-first session. The representative of Costa Rica had asked to participate in the discussion of the item in accordance with rule 43 of the rules of procedure.

18. *At the invitation of the Chairman, Ms. Chassoul (Costa Rica) took a place at the Committee table.*

19. **Mr. Al Bayati** (Iraq) drew attention to the fact that the question had been included in the agenda for the sixtieth session as item 160.

20. **Ms. Chassoul** (Costa Rica) said that her delegation had been dismayed to learn, after the decision to defer consideration of the evaluation of the Independent Inquiry Committee into the Oil-for-Food Programme from the sixtieth to the sixty-first session, that the item had been dropped from the draft agenda. She requested its reinstatement as Member States needed to be informed of the findings of the Independent Inquiry Committee.

21. *The Committee decided to recommend to the General Assembly the inclusion in the agenda under heading I of the item entitled "Follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme".*

22. *Ms. Chassoul (Costa Rica) withdrew.*

23. *The Committee decided to recommend to the General Assembly the inclusion in the agenda of the items listed under heading I, taking into account the decisions taken regarding items 114, 149, 151 to 158 and the item entitled "Follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme".*

V. Allocation of items

Paragraphs 53-55

24. *The Committee took note of the information contained in paragraphs 53 to 55.*

Paragraph 56

25. **The Chairman** said that paragraph 56 dealt with items of the draft agenda that had not been considered previously by the General Assembly. If the members of the Committee agreed, she would request the Committee to make a recommendation on the allocation of those items, recommended for inclusion in the agenda for the sixty-first session.

26. *It was so decided.*

Paragraph 57

27. **The Chairman** recalled that, in accordance with paragraph 2 of resolution 54/195, any request by an organization for the granting of observer status in the General Assembly would be considered in plenary meeting after consideration of the issue by the Sixth Committee. The Committee would therefore proceed accordingly when it considered the allocation of 158, concerning observer status.

Item 114. Report of the Peacebuilding Commission

28 **The Chairman** said that no specific mention had been made of the allocation of the item.

29. **Mr. Majoor** (Netherlands), supported by **Mr. Labbé** (Chile) and **Mr. Llewellyn** (United Kingdom), said that item 114 should be considered directly in plenary meeting since the work of the Peacebuilding Commission was connected to that of the main bodies of the Organization.

30. *The Committee decided to recommend to the General Assembly that item 114 should be considered directly in plenary meeting.*

Item 149. Report of the Human Rights Council

31. **The Chairman** said that she had received a letter from the President of the Human Rights Council suggesting that the report of the Council should be considered directly in plenary meeting.

32. **Mr. Jenie** (Indonesia) said that the Human Rights Council, mandated by General Assembly resolution 60/251 to make recommendations to the General Assembly for the further development of international law in the field of human rights, was currently undertaking the groundwork to become fully functional. In the view of his delegation, it should report to the General Assembly through the Third Committee, so that its work could receive full consideration. In 2006, the Council was recommending two important draft human rights instruments for adoption by the General Assembly: the United Nations draft declaration on the Rights of Indigenous Peoples, and the International Convention for the Protection of All Persons from Enforced Disappearance. Those instruments would assume greater legitimacy if the whole membership were given sufficient time to discuss them, which could be achieved only if they were submitted first to the Third Committee.

33. **Mr. Labbé** (Chile) said that his delegation had taken note of the letter from the President of the Human Rights Council. He recalled that, during the negotiations leading to the establishment of the Human Rights Council, there had been two schools of thought with regard to its status. Most States, including Chile, considered the Council to be a major body in its own right within the United Nations system, while others saw it as a subsidiary organ of the General Assembly. The provisional solution to that divergence of opinion had been that the Council's work and functioning would be reviewed and its final status decided five years after its establishment. Since the Council was for the time being a subsidiary organ of the General Assembly, it might appear logical for it to report to the General Assembly through the Third Committee. However, analysis of and a conceptual discussion on the draft human rights instruments submitted to the Assembly at its sixty-first session had already taken place in the Commission on Human Rights, so that all that remained was a political decision by the General Assembly. In view of the importance of the Council within the United Nations system, its report should be discussed in plenary meeting and not in the Third Committee.

34. **Ms. Zhang** Dan (China) said that her delegation agreed with the proposal made by the representative of Indonesia. Pursuant to rule 98 of the rules of procedure of the General Assembly, human rights-related issues had always been considered by the Third Committee, which had the necessary expertise. Moreover, under rule 97, all items relating to the same category of subjects should be referred to the committee dealing with that category. There was, therefore, no reason why the Human Rights Council report should not be considered by the Third Committee.

35. **Mr. Majoor** (Netherlands) said that pursuant to paragraph 5 (j) of resolution 60/251, the Council was required to submit an annual report to the General Assembly. In his delegation's view, since the Council was a subsidiary organ of the General Assembly, it would be logical, as well as more flexible, for its report to be considered directly in the plenary Assembly. Not only would that avoid placing an unnecessary burden on the Third Committee, whose agenda was already full, but it would also ensure that the Council's annual report covered all its sessions.

36. **Mr. Adekanye** (Nigeria), mindful of the limited membership of the Human Rights Council, supported the proposal made by the representative of Indonesia and agreed with the views expressed by the representative of China. Submitting the Human Rights Council report to the Third Committee would allow Member States to address fully the important issues that were the subject of the Council's recommendations, thereby giving the Council the legitimacy and credibility it deserved. It was, in any case, a temporary measure, pending a decision on the Council's final status in five years' time.

37. **Mr. Al Bayati** (Iraq) said that his delegation had taken note of the letter from the President of the Human Rights Council. He agreed with the representative of China, however, that rule 97 of the rules of procedure applied, and he therefore supported the proposal of the representative of Indonesia.

38. **Mr. Nikiforov** (Russian Federation) said that he was firmly convinced that, pursuant to rule 97 of the rules of procedure, for reasons of substance and organization, the Human Rights Council report should be submitted to the Third Committee.

39. **Ms. Intelmann** (Estonia), **Ms. Juul** (Norway) and **Ms. Dinić** (Croatia) supported the proposal for the

report of the Human Rights Council to be considered directly in plenary meeting.

40. **Ms. Blum** (Colombia) and **Ms. Nyamudeza** (Zimbabwe) endorsed the remarks made by the representative of Indonesia and supported his proposal.

41. **Mr. Wenaweser** (Liechtenstein), reiterating his delegation's commitment to the Human Rights Council and recalling the important relationship between the Council and the General Assembly, said that paragraph 5 (j) of General Assembly resolution 60/251 was not the only provision governing that relationship. Pursuant to the same resolution, the Council was to make recommendations to the General Assembly for the further development of international law, and not necessarily in its annual report. His delegation believed that those recommendations should be submitted to the Third Committee, whereas the annual report should be considered directly in plenary meeting. If rule 97 of the rules of procedure were invariably interpreted in the way suggested by some speakers, virtually nothing would be referred directly to the plenary Assembly, which was not, of course, the case. The best solution, therefore, would be to refer the Council's annual report directly to the plenary Assembly while entrusting the Third Committee with consideration of the Council's recommendations.

42. **Mr. Tidjani** (Cameroon) said that his delegation took note of the letter from the President of the Human Rights Council. He drew attention to rule 65 as well as to rule 97 of the rules of procedure. Since human rights were a basic pillar of the Organization, all related issues required a full analysis and, therefore, ought to be considered by the Third Committee, as proposed by the representative of Indonesia.

43. **Mr. Sow** (Guinea) said that his delegation strongly supported the proposal of the representative of Indonesia. The Third Committee was responsible for examining all human rights issues, including the work of the Human Rights Council. It was important for the considerable experience of small countries, such as his own, to be taken into account, and that would be possible only if the report were submitted to the Third Committee.

44. **Mr. Llewellyn** (United Kingdom) said that his delegation firmly supported the proposal of the President of the Human Rights Council. In view of the importance of the Human Rights Council as a subsidiary organ of the General Assembly, its annual report should be considered directly in plenary meeting.

45. **Mr. Simancas Gutiérrez** (Mexico), voicing his agreement with the remarks made by the representative of Liechtenstein, said that since the Council was a new body an examination of the precedents set by other organs, such as the Economic and Social Council, would be useful. In any event, the Committee had just decided that the annual report of the Peacebuilding Commission would be referred directly to the plenary Assembly, while a number of related issues had already been allocated to subsidiary committees. Accordingly, whereas the report of the Human Rights Council might be submitted directly to the plenary Assembly, its recommendations and all other related matters could be examined by the relevant committee, namely the Third Committee.

46. **Mr. Lacroix** (France) said that, in common with the other member States of the European Union represented in the General Committee, his delegation was in favour of the proposal made by the President of the Human Rights Council. Nevertheless, he had taken note of the arguments in favour of submitting the report of the Human Rights Council, the first of its kind, to the Third Committee. The Committee needed to decide quickly, yet the compromise proposal made by the representative of Liechtenstein and endorsed by the representative of Mexico, offering a possible solution to the problem, would require further examination. As had been suggested by the representative of Nigeria, whichever decision the General Committee took at the sixty-first session should be regarded as provisional and not creating a precedent for later sessions.

47. **Mr. Mubarak** (Libyan Arab Jamahiriya) said that, in consonance with the General Assembly's rules and procedure, his delegation supported the proposal made by the representative of Indonesia.

48. **The Chairman** said that she took it that the Committee wished to defer a decision on the matter to a later date.

49. *It was so decided.*

Item 152. The rule of law at the national and international levels

50. *The Committee decided to recommend to the General Assembly that item 152 should be allocated to the Sixth Committee.*

Item 154. International Year of Reconciliation

51. *The Committee decided to recommend to the General Assembly that item 154 should be considered directly in plenary meeting.*

Item 156. Financing of the United Nations Integrated Mission in Timor-Leste

52. *The Committee decided to recommend to the General Assembly that item 156 should be allocated to the Fifth Committee.*

Item 157. Report of the Secretary-General on the Peacebuilding Fund

53. **The Chairman** said that no specific mention had been made of the allocation of the item.

54. **Ms. Pierce** (United Kingdom) proposed that the report on the Peacebuilding Fund should be considered directly in plenary meeting along with the report on the Peacebuilding Commission, given the work that the Fund did in supporting development and post-conflict resolution.

55. *The Committee decided to recommend to the General Assembly that item 157 should be considered directly in plenary meeting.*

Item 158. Requests for observer status in the General Assembly

56. *The Committee decided to recommend to the General Assembly that item 158 should be allocated to the Sixth Committee.*

Item entitled "Follow-up to the recommendations and administrative and internal oversight of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme"

57. *The Committee decided to recommend to the General Assembly that the item entitled "Follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme" should be considered directly in plenary meeting.*

Item 31. Comprehensive review of the whole question of peacekeeping operations in all their aspects

58. *The Committee decided to recommend to the General Assembly that item 31 of the draft agenda should also be allocated to the Sixth Committee in order to allow the Sixth Committee to consider the report of the Group of Legal Experts (A/60/980).*

Item 43. Report of the Economic and Social Council

59. *The Committee took note of paragraph 58 and decided to recommend that the General Assembly, when considering item 43 in its entirety in plenary meeting, should take note of the clarification that, in implementing resolution 58/316, the relevant parts of chapter I of the report of the Economic and Social Council would be considered by the Main Committees concerned, under items already allocated to them, for final action by the Assembly.*

Item 48. Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Item 112. Follow-up to the outcome of the Millennium Summit

Item 150. United Nations reform: measures and proposals

60. *The Committee took note of paragraphs 59 and 60.*

61. *The Committee decided to recommend to the General Assembly that items 48, 112 and 150 of the draft agenda should be allocated to the Fifth Committee for the consideration of the relevant reports of the Secretary-General.*

Item 56 (b). International migration and development

Item 57 (c). Third United Nations Conference on the Least Developed Countries

Item 58 (c). Implementation of the first United Nations Decade for the Eradication of Poverty

62. *The Committee took note of paragraphs 62 and 64.*

Item 62. Advancement of women

63. *The Committee decided to recommend the suggested allocation for item 62.*

Item 89. General and complete disarmament

64. *The Committee decided to recommend to the General Assembly that the relevant paragraphs of the report of the International Atomic Energy Agency should be drawn to the attention of the First Committee in connection with its consideration of item 80.*

Item 101. Report of the Secretary-General on the work of the Organization

65. *The Committee decided to recommend to the General Assembly that it should hear a brief presentation by the Secretary-General of his annual report prior to the opening of the general debate.*

Item 109. Revitalization of the work of the General Assembly

66. *The Committee decided to recommend to the General Assembly that item 109 should be allocated to all the Main Committees for the sole purpose of considering and taking action on their respective tentative programmes of work.*

Item 118. Programme planning

67. *The Committee decided to recommend to the General Assembly that item 118 of the draft agenda should be allocated to all the Main Committees and to the plenary Assembly to enhance discussion of evaluation, planning, budgeting and monitoring reports.*

Item 128. Administration of justice at the United Nations

68. *The Committee decided to recommend to the General Assembly that item 128 should be allocated to the Fifth Committee for its consideration and to the Sixth Committee for the purpose of considering the legal aspects, both institutional and procedural, of the comments by the Secretary-General on the recommendations contained in the report of the Redesign Panel on the United Nations system of administration of justice.*

Plenary Assembly

69. The Committee decided to recommend to the General Assembly that the items proposed for consideration in plenary meeting, taking into account the decisions taken regarding items 56 (b), 57 (a), 58 (a), 114, 118, 154 and 157 and the item entitled "Follow-up to the recommendations on administrative management and internal oversight of the Independent Inquiry Committee into the United Nations Oil-for-Food Programme", should be allocated to the plenary Assembly.

First Committee

70. *The Committee decided to recommend to the General Assembly that the items proposed for consideration by the First Committee, taking into account the decisions taken regarding items 109 and 118, should be allocated to that Committee.*

Special Political and Decolonization Committee (Fourth Committee)

71. *The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Special Political and Decolonization Committee (Fourth Committee), taking into account the decisions taken regarding the item entitled "Question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India" and items 109 and 118, should be allocated to that Committee.*

Second Committee

72. *The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Second Committee, taking into account the decisions taken regarding items 109 and 118, should be allocated to that Committee.*

Third Committee

73. *The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Third Committee, taking into account the decisions taken regarding items 109 and 118, should be allocated to that Committee.*

Fifth Committee

74. *The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Fifth Committee, taking into account the decisions taken regarding items 48, 109, 112, 150, 156 and 157, should be allocated to that Committee.*

Sixth Committee

75. *The Committee decided to recommend to the General Assembly that the items proposed for consideration by the Sixth Committee, taking into account the decisions taken regarding items 31, 109, 118, 128, 151, 152, 153 and 158, should be allocated to that Committee.*

The meeting rose at 5.15 p.m.